IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN INSOLVENCY

PETITION NO.18 OF 2005

Re: Ashley Concession ..Debtor.

Ex parte :

Mohamad Rafiq Tambe ..Petitioning Creditor.

...

Mrs. Mamta Shah for the Petitioning Creditor.
Debtor absent though served.

...

CORAM: DR. D.Y. CHANDRACHUD, J.

19th August, 2006.

P.C. :

The Insolvency Petition is based on a decree passed by the this Court in Summary Suit 2402 of 2000 in the sum of Rs.3,79,939/- together with future interest on the principal sum of Rs.1,48,000/- from 17th January, 2004 till payment. An Insolvency Notice was issued on 9th August, 2004 which was served on the Debtors on 16th October, 2004. The act of insolvency was complete on 21st November, 2004. The Insolvency Petition has been duly served and an affidavit of service has been filed. There is no reply to the Petition and the Debtors have failed to appear. In the circumstances, the Insolvency Petition has to be allowed

and is accordingly allowed in terms of prayer clauses (a) and (b).